

FILED: MONROE COUNTY CLERK 01/07/2022 02:22 PM

NYSCEF DOC. NO. 1

C 2022000171 E2022000171

RECEIVED NYSCEF: 01/07/2022

STATE OF NEW YORK SUPREME COURT  
COUNTY OF MONROE

CHARLES ROGERS,

Plaintiff,

v.

SUMMONS

Index No. E 2022000171

Plaintiff designates Monroe  
County as the place of trial.

The basis of the venue is the  
Plaintiffs place of residence.

SELECT LEASING, INC., and GARRETT ROBERT  
ADAM

Defendants.

TO THE ABOVE NAMED DEFENDANTS:

YOU ARE HEREBY SUMMONED to answer the Complaint in this action and to serve a copy of your answer, or, if the Complaint is not served with the Summons, to serve a Notice of Appearance, on the Plaintiffs' attorney within (20) days after the service of this Summons, exclusive of the day of service (or within 30 days after the service is complete if this Summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the Complaint.

The basis of venue designated as the residence of the plaintiff, which is 144 Furlong Street, Rochester, New York 14621.

January 7, 2022

*Timothy C. Bellavia*

Timothy Bellavia, Esq.  
Parisi & Bellavia, LLP  
140 Allens Creek Road  
Suite 210  
Rochester, NY 14618  
(585)-888-8000

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STATE OF NEW YORK SUPREME COURT  
COUNTY OF MONROE

CHARLES ROGERS,

Plaintiff,

v.

COMPLAINT

Index No. E2022000171

SELECT LEASING, INC., and  
GARRETT ROBERT ADAM

Defendants.

The plaintiff, CHARLES ROGERS, complaining of the defendants, SELECT LEASING, INC., and GARRETT ROBERT ADAM alleges as follows:

1. Plaintiff CHARLES ROGERS is, and at all times hereinafter mentioned was, a resident of the County of Monroe and State of New York.
2. Upon information and belief, defendant GARRETT ROBERT ADAM is, and at all times hereinafter mentioned was, a resident of the County of Huron and State of Michigan.
3. Upon information and belief, defendant SELECT LEASING, INC. is, and at all times hereinafter mentioned was, a corporation with its principal place of business in the County of Huron, State of Michigan.
4. Upon information and belief, defendant GARRETT ROBERT ADAM, at all times hereinafter mentioned, was the driver of a 2011 tractor trailer with Michigan license plate RB74080.
5. Upon information and belief, defendant SELECT LEASING, INC. at all times hereinafter mentioned, was the owner the aforementioned 2011 tractor trailer with Michigan license plate RB74080.
6. Upon information and belief, defendant GARRETT ROBERT ADAM at all times hereinafter mentioned, operated the aforementioned 2011 tractor trailer with Michigan license plate RB74080 with both the permission and consent of defendant SELECT LEASING, INC..

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7. Upon information and belief, defendant GARRETT ROBERT ADAM, at all times hereinafter mentioned, operated said 2011 tractor trailer with Michigan license plates RB74080 within the performance of his duties and scope of his employment with defendant SELECT LEASING, INC.

8. That on or about January 15, 2021, in the vicinity of Ames Street at its intersection with Campbell Street, in City of Rochester, County of Monroe and State of New York, defendant GARRETT ROBERT ADAM carelessly, recklessly and negligently operated said motor vehicle, so as to cause same to strike the vehicle operated by plaintiff CHARLES ROGERS.

9. As a direct and proximate cause of such negligence, plaintiff sustained personal injuries resulting in hospitalization, medical treatment, and pain and suffering.

10. The injuries suffered by plaintiff CHARLES ROGERS hereinafter alleged were caused solely as a result of the negligence of the defendants, with no negligence on the part of the plaintiff contributing thereto.

11. As a result of the negligence of the defendants, plaintiff CHARLES ROGERS was personally injured and suffered serious injuries, including, but not limited to neck and back, as defined in section 5102 of the Insurance Law of the State of New York and was otherwise injured.

12. As a result of the foregoing, plaintiff CHARLES ROGERS has suffered economic loss greater than basic economic loss, as defined in section 5102 of the Insurance Law of the State of New York, and was otherwise damaged.

13. Upon information and belief, the injuries sustained by plaintiff CHARLES ROGERS will be permanent.

14. That, as a result of the foregoing, plaintiff CHARLES ROGERS lost earnings and his earning capacity, will be required to obtain hospital, medical, nursing and related services in the future and will be required to make other expenditures in the care and treatment of her injuries in the future.

15. The limitations on liability set forth in Article 16 of the CPLR do not apply by virtue of the application of one or more exemptions set forth in section 1602 of the CPLR.

16. That as a result of the negligence of the defendants, plaintiff has been damaged in an amount that exceeds the jurisdictional limitations of all lower courts.

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WHEREFORE, plaintiff demands judgment against the defendants in an amount that exceeds the jurisdictional limitations of all lower courts, together with the costs and disbursements of this action.

Dated: Rochester, New York  
January 7, 2022

Timothy C. Bellavia  
Timothy Bellavia, Esq.  
Parisi & Bellavia Law, LLP  
140 Allens Creek Road  
Suite 210  
Rochester, NY 14618  
(585) 888-8000

**SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF MONROE**

-----X  
CHARLES ROGERS

Plaintiff/Petitioner,

- against -

SELECT LEASING, INC., and GARRETT ROBERT  
ADAM

Index No. E 2022000171

Defendant/Respondent.  
-----X

**NOTICE OF ELECTRONIC FILING  
(Mandatory Case)  
(Uniform Rule § 202.5-bb)**

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● **If you are not represented by an attorney:**

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To find legal information to help you represent yourself visit [www.nycourthelp.gov](http://www.nycourthelp.gov)

**Information for Attorneys  
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2) file the Notice of Opt-Out form with the clerk of the court where this action is pending and serve on all parties. Exemptions from mandatory e-filing are limited to attorneys who certify in good faith that they lack the computer hardware and/or scanner and/or internet connection or that they lack (along with all employees subject to their direction) the knowledge to operate such equipment. [Section 202.5-bb(e)]

For additional information about electronic filing and to create a NYSCEF account, visit the NYSCEF website at [www.nycourts.gov/efile](http://www.nycourts.gov/efile) or contact the NYSCEF Resource Center (phone: 646-386-3033; e-mail: [nyscef@nycourts.gov](mailto:nyscef@nycourts.gov)).

Dated: \_\_\_\_\_

ALBERT L. PARISI

Name

PARISI & BELLAVIA LLP

Firm Name

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E-Mail

To: \_\_\_\_\_

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